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(FORM UPDATED: 08/11/2010

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Veterans, Homeland Security, Military Affairs, Small Business and Government Reform (SC-VHSMASBGR)

COMMITTEE NOTICES ...

- Committee Reports ... CR
- Executive Sessions ... ES
- Public Hearings ... PH

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- > Appointments ... Appt (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... CRule (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)

(ab = Assembly Bill)

(ar = Assembly Resolution)

(ajr = Assembly Joint Resolution)

(sb = Senate Bill)

(sr = Senate Resolution)

(sjr = Senate Joint Resolution)

Miscellaneous ... Misc

AUG 2 9 2005



WISCONSIN CATHOLIC CONFERENCE

Memo from Barbara A. Sella Associate Director

24 August 2005

Dear Senator Brown,

I'm sending you a copy
of a letter I sent to Senator
Grothman regarding Senate
Bill 43 - the WHEDA
mortgage proposal.

If you have any questions, please don't hesitate to call me.

Sincerely, Barbara Seller

¹³¹ W. Wilson Street • Suite 1105 • Madison, WI 53703 • Tel 608/257-0004 • Fax 257-0376 E-MAIL: barbara@wisconsincatholic.org • WEBSITE: http://www.wisconsincatholic.org



COPY

WISCONSIN CATHOLIC CONFERENCE

August 23, 2005

Senator Glenn Grothman P.O. Box 7882 Madison, WI 53707-7882

Dear Senator Grothman:

This is the follow-up letter I promised you after our August 3rd phone conversation on Senate Bill 43. Because I shared some of the same sentiments about the bill with Senator Brown after his committee's hearing, I am sending a copy to him as well.

As I mentioned in our phone conversation, the Catholic Church considers migration to be a human right. As the U.S. and Mexican bishops explained it in their joint statement, *Strangers No Longer: Together on the Journey of Hope* (2003):

"The Church recognizes that all the goods of the earth belong to all people. When persons cannot find employment in their country of origin to support themselves and their families, they have a right to find work elsewhere in order to survive. ...[And] more powerful economic nations, which have the ability to protect and feed their residents, have a stronger obligation to accommodate migration flows." (nos. 35-36)

At the same time, the right to migrate is not unlimited. It may be restricted when other, higher rights are endangered. For example, if the security of a nation is threatened or if the "host nation" does not have sufficient resources to sustain its own inhabitants, it is lawful to halt the flow of immigrants. Both the Wisconsin Catholic Conference and the U.S. Conference of Catholic bishops assess legislation related to immigration in light of this perspective.

As we examine policy proposals, we do not believe the case has been made that immigrants, per se, pose such a threat to our nation's security. On the contrary, the record suggests that very few immigrants, even those who lack documentation, are prone to criminal behavior. Indeed, the vast majority are hardworking individuals who seek only to improve their lives in their new homeland while doing the work that native-born citizens are either unwilling or unable to perform.

We also try to assess whether their presence threatens our nation's prosperity. Here too, the record doesn't suggest that the wealthiest nation on earth lacks the resources to sustain those who live here.

COPY

Senator Glenn Grothman August 24, 2005 Page Two

At the same time, we appreciate the argument that immigration laws, like any other laws, should be obeyed. But the Church has long suggested that societies should assess any law in light of its practical impact and enforceability. The presence of more than 10 million undocumented immigrants in the U.S. raises serious questions in this regard.

Everyone recognizes that federal immigration laws are not being enforced. For its part, the federal government knows full well that Catholic agencies are feeding, clothing and housing the undocumented as well as the documented. It permits this, we believe, because such a humane response serves the larger national interest. It permits this because strict enforcement carries the very serious risk of creating an even greater problem than the one we are trying to solve.

In light of all this, we need to consider whether Wisconsin and other states can succeed where federal policy to date has not. It may well be preferable to affirm those who show a commitment to becoming responsible and contributing members of society. Indeed, a compelling case can be made that undocumented immigrants who requested and received ITIN numbers from the government clearly fall into this category.

The Catholic Church also recognizes that by far most of the undocumented immigrants in our midst are here to stay. Many of them have children who are U.S. citizens. Any policy must also be assessed in light of its impact on these families. This is especially true for policies that govern access to housing, education and employment.

This context of Catholic thought and teaching on the right to migrate, the complexity of our current immigration situation, the insights of those who minister to migrants and refugees, the impact of rigid enforcement on the individuals and families involved, are all considerations as the bishops discern how to respond to proposals like SB 43. I hope my letter offers helpful insights as to how we balance these factors.

Thank you for your consideration in reading this. I would be happy to continue our conversation on these issues.

Sincerely,

Barbara Sella

Associate Director

Barbara Selle

Cc: Senator Ronald Brown





FRIENDS OF IMMIGRATION LAW ENFORCEMENT 310 6TH ST S.E. 2ND FLOOR, WASHINGTON, D.C. 20003

August 29, 2005

Sen. Ron Brown 1112 Violet Avenue Eau Claire, WI 54701

Dear Mr. Brown,

The people of Wisconsin should feel proud that their state is doing its part to help reverse the nation's out-of-control illegal immigration crisis.

The indictments of James P. Maloney and Jeff Bowman, respectively chairman and president of Mitchell Bank, Milwaukee, for criminal violations of the Immigration and Nationality Act will be warmly welcomed by the four out of five Americans who agree that local and state police should help federal authorities enforce laws against illegal immigration.¹

It will be socially constructive, in my view, to see a story on illegal immigration in which the person led away in handcuffs is a chief executive wearing a suit, for a change, and not a Mexican peasant boy.

I am surprised, actually, that Mr. Maloney and Mr. Bowman were not arrested immediately after it was widely reported that Mitchell Bank and its officers openly and knowingly provide home mortgages to people whose residence in *any* house in the United States is illegal

since

- 1. The accused, in widely published statements, admit² to numerous violations of the federal law³ making it a felony for anyone who
 - (iii) knowing or in reckless disregard of the fact that an alien ..remains in the United States in violation of law, ... harbors...or attempts to ... harbor such alien in any place, including any building ...;
 - (iv) encourages or induces an alien to ... reside in the United States, knowing or in reckless disregard of the fact that such...residence is or will be in violation of law; or
 - (v) (I) engages in any conspiracy to commit any of the preceding acts, or (II) aids or abets the commission of any of the preceding acts,...

¹ Zogby International Poll, April 15-19, 2005

² "'Our portfolio is evidence that the undocumented are model customers,' says Jeff Bowman, president of Mitchell Bank." [Banks Open Doors to Illegal Immigrants, Wall Street Journal, July 11, 2005]

³ 8 U.S.C. §1324(a)1(A)

⁴ "Encouraging" illegal aliens includes efforts to foster greater confidence that they can continue to reside in the United States, or actions that offer illegal aliens "a chance to stand equally with all other American citizens." U.S. v. Oloyede, 982 F.2d 133 (4th Cir.1993) at 136

2. which are punishable for each alien in respect to whom such a violation occurs

in the case of a violation of subparagraph...(iii) or (iv) in which the offense was done for the purpose of commercial advantage or private financial gain, be fined under title 18⁵, imprisoned not more than 10 years, or both;

in the case of a violation of subparagraph (iii), (iv), or (v)(II), be fined under title 18, imprisoned not more than 5 years, or both;

- 3. while subsection (c) explicitly grants authority to any officer "whose duty it is to enforce criminal laws," "to make any arrests for a violation of any provision" of the above, and
- 4. the gross proceeds of such violation, and any property traceable to such...proceeds, shall be seized and subject to forfeiture, which proceeds, under federal guidelines, may be transferred "to any State or local law enforcement agency which participated directly in any of the acts which led to the seizure or forfeiture of the property."

Considering the straightforwardness of the statute's language, and the recent appellate decision holding the law is to be broadly construed as to the persons subject to criminal liability, I have no doubt law enforcement agencies across the country will eagerly follow Wisconsin's example—

-making the people of Wisconsin doubly proud.

Sincerely,

Craig Nelsen, Executive Director

Friends of Immigration Law Enforcement

310 6th St S.E. 2nd Flr Washington, DC 20003

⁵ The Racketeering Influenced and Corrupt Organizations Act (RICO)

^{6 8} U.S.C. §1324 (c)

^{7 18} U.S.C. §981

^{*} U.S. v Zheng, No. 01-15551 (11th Cir. Sept, 2002)









Post Office Box 7882 • Madison, Wisconsin 53707-7882 (608) 266-7513 • Toll-Free: (800) 662-1227 Sen.Grothman@legis.state.wi.us www.legis.state.wi.us/senate/sen20/sen20.html

> Home: 111 South 6th Avenue West Bend, Wisconsin 53095 (262) 338-8061

August 30, 2005

Senator Ronald Brown 409 South State Capitol Madison, WI 53707

Senator Brown:

In my last conversation with you, you had some questions about background information on Senate Bill 43, regarding WHEDA home loans to people who lack social security numbers (SSN).

One question you had was how long it takes a legal immigrant to obtain a SSN. Assuming all the proper documents have been sent, and forms filled out, an individual should have their SSN in about three weeks. (According to the IRS's webpage, after receiving the proper documents, the IRS will assign a ITIN number within 4 to 6 weeks.) Applicants must provide original documents showing their age, identity and lawful alien status (including your permission to work in the U.S.). They must provide at least two documents.

You also asked how often a legal immigrant gets an Individual Taxpayer Identification Number (ITIN). On a publication about ITINs put out by the Center for Economic Progress, it states the IRS issued over 7.2 million ITINs from it's inception in July 1996 through December 2003. How many of these were issued to legal immigrants? Who knows? The IRS does not bother to cross check the applicants' information with U.S. Citizenship and Immigration Services. According to the IRS's webpage, "ITINs are issued regardless of immigration status" and "ITINs are for federal tax reporting only, and are not intended to serve any other purpose."

I have spoken to the Washington County Register of Deeds, and she informed me that a social security number is not needed to buy property. The buyer of the property can attach a letter to the real estate transfer form explaining they don't have a social security number (example: Canadian citizen), and that is forwarded to the Department of Revenue They can process a real estate transfer form that does not contain a valid social security number.

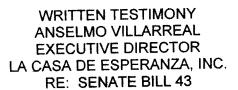
I hope this answers your questions, and an executive action on SB 43 can be scheduled shortly,

Sincerely,

State Senator 20th Senate District









As Executive Director of La Casa de Esperanza, Inc. and as the Wisconsin Representative of the Institute of Mexicans Abroad, I am writing to express my support for the Wisconsin Housing and Economic Development Authority (WHEDA) ITIN immigrant program. I want to commend Governor Doyle and Mr. Antonio Riley for their tremendous leadership for this unique, innovative model that is becoming a national model. I urge their continued support of this valuable program.

I am also writing to urge you to oppose Senate Bill 43 (SB 43) and allow WHEDA to make, buy or assume a home mortgage loan for an individual who has an ITIN number.

As you know, it is a fact that there is a significant undocumented population in our community who are working and paying taxes through the ITIN program and in many other ways contributing positively to our society. Many of these same people have lived in this country for many years and have children who are citizens.

The primary means by which people are able to build wealth and to achieve the "American Dream" is through home ownership. I am completely supportive of the efforts of WHEDA to assist undocumented customers to achieve this goal, based on their creditworthiness and not on their immigration status. Without this opportunity, these people are doomed to continuing a cycle of poverty for themselves, their children and future generations.

A danger of ending this important program is the fact that these people will become even more at risk of falling prey to predatory lenders. They will increasingly resort to these predators, which will in turn increase the number of unethical lenders seeking to take advantage of vulnerable people who have no financing alternatives.

Once again, I want to express my complete support of the efforts of WHEDA and strongly urge you to oppose Senate Bill 43 (SB 43). I would be happy to further discuss this issue with you. You can contact me at (262) 547-0887.

Anselmo Villarreal
Executive Director

Sincerel





SENATEBILL 43

ASSEMBLY BILL 85

Mr. Chairman, Members of the Committee

Date

My name is Rene Farias and I represent the United Community Center, a social service agency located at 9th and Washington on Milwaukee's south side. We at UCC strongly believe that home ownership is key to the stability of a neighborhood and over the years the agency has been instrumental in helping many families acquire their first home. For example, during the past year 49 families were able to purchase homes. These are hard-working families who are willing to make sacrifices in order to own their home.

In the last 10 years the home ownership rate in the neighborhood has changed from 35% owner-occupied to 65% today. The change in the neighborhood around the UCC is very noticeable and is often mentioned by visitors to the Center. Homes are neat, yards and streets are clean, and the crime rate has gone down substantially.

Stability is very important for a community. It has a definite impact on home maintenance, and a decrease in crime, as neighbors look out for each other interests.

An additional benefit to the community is that increasing property value means an increase in property taxes, (our neighborhood has seen an increase of 20% in property values in the last 5 years) as well as an additional economic impact on businesses in he area, like furniture, grocery and other businesses. So everyone benefits as neighborhoods improve and the tax base increases.

An often-overlooked impact of owner-occupied homes is on education; student attendance becomes stable and the schools in the area no longer have to deal with high student mobility rates.

SBUSTR bill 43

All of these are signs that HOME OWNERSHIP WORKS. Yet ASSEMBLY BILL 85 would deprive a significant number of people from owning a home. The vitality and income power of this community is so great that the State of Wisconsin will be missing out of this impact.

I earnestly urge you to vote against Assembly Bill 85.

Thank you.





TESTIMONY

UNITED MIGRANT OPPORTUNITY SERVICES INC

SUPPORT OF WHEDA INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER HOME OWNERSHIP PROGRAM



United Migrant Opportunity Services Inc (UMOS) strongly opposes any legislation that would impose inappropriate restrictions on the ITIN Project.

The proposal to deny participation in WHEDA'S Home Ownership Program to individuals who do not possess a Social Security card is not in the best interests of the State of Wisconsin, neither its economy nor its growing diverse population.

In 1996 the U.S. Internal Revenue Service initiated a process that allows individuals who are employed in this country, but do not have a Social Security Number, to report earnings and pay taxes. The individuals with an ITIN are usually employed in low wage, menial jobs that for the most part are not sought, nor filled by citizens. An honest assessment of the contribution of these individuals to the Wisconsin economy is critical before any legislation is considered that adversely affects these individuals. A review of the services industry in Wisconsin(such as restaurants , cleaning services ,etc), meat packing , landscaping, and agricultural work clearly would indicate that a significant segment of the economy utilizes and depends upon the labor ITIN holders provide. Nationally, billions of dollars in income are annually reported to the IRS.

Clearly, there is a significant contribution to the Wisconsin economy made by ITIN holders. It is apparent that Wisconsin employers in some areas rely heavily upon this workforce as an integral part of their business. ITIN holders not only contribute economically, but also, participate in Civic affairs and have children who are U.S. born citizens. Additionally, many are in the process of pursuing citizenship which can be a lengthy and costly process.

It is the opinion of UMOS that the proposed legislation is based upon broad, speculative and incorrect assumptions that misrepresent ITIN holders and do not recognize their contribution to our State. Also, these assumptions erroneously portray ITIN holders as all being "illegal aliens". Federal law holds that an ITIN is not to be construed as an indicator of a person's legal residency status. Legislation that would preclude ITIN holders from participating in any project, therefore, would be overly broad.

It is necessary to address several issues that have been set forth by proponents of this legislation and its supporters in the public and media.

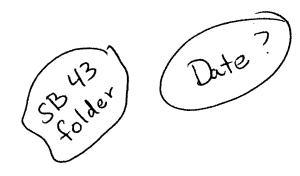
- Individuals from other countries do not come to Wisconsin for the purpose of seeking an ITIN mortgage loan. **They come to work**. They work at menial jobs that pay minimum wages for long hours. Clearly, if their purpose was to take advantage of low interest loans, they would go to Illinois where 35 banks already offer their own version of the WHEDA program and where the Illinois Housing and Finance Authority is developing a similar project
- The WHEDA program is not funded by Taxpayer dollars. Revenues come from WHEDA'S bonding authority.

- The ITIN project does not reduce the number of other Wisconsin residents who receive home loans.
- Loans to ITIN holders are not a risky investment. The Second Federal Bank of Chicago reports that over a five year period, ITIN based loans have performed exceptionally well. In fact they show a record of no defaults. In Wisconsin, Mitchell Bank and Waukesha State Bank have had good results.
- The standards utilized by WHEDA in determining eligibility for participation for the ITIN Project are the same as for other loans and include financial income, credit rating, evidence of stable employment etc

According to the Internal Revenue Service approximately 10 million immigrants are in the United States without documentation. The PEW Foundation report that was issued in 2005 shows a number of 10.3 million with 100,000 to 150,000 residing in Wisconsin. Regardless of one's philosophical or political position, it is clear that ITIN holders play an integral part in the economy of Wisconsin and many have and will continue to be long term residents of our State. They should not be denied the opportunity for Home Ownership







Let's Make Up Our Mind on Illegal Immigration

By Glenn Grothman

Our current illegal immigration policy in the United States is a mess. The percentage of foreign-born people in the United States is the highest it has been in decades – twelve percent. An estimated 10 million illegal immigrants are currently in the country. This is trouble in that illegal immigrants drive down wages of native Americans, are 50 percent more likely than native Americans to take advantage of at least one welfare programs, and are far less likely to pay taxes.

Worse, it is good if the primary loyalty of people in America is to America. It is hard to maintain this notion with such a huge influx of new workers. Furthermore, we do maintain federal agencies to enforce our immigration laws and we do have law-abiding foreigners waiting patiently in line, sometimes for years, to get in the country. It is an insult to border patrol and immigration employees as well as legal immigrants to continue the current policy.

Unfortunately, our state government has decided to offer new low-interest loans to non-citizens through the Wisconsin Housing and Economic Development Authority – WHEDA. WHEDA loans were originally designed to be government guaranteed loans at slightly below market rates for lower income Wisconsin residents. Who could ever guess these loans would go to recent immigrants through a program specifically designed for people without social security numbers?!! In order to be eligible for the program you must have an Individual Taxpayer Identification Number – ITIN – issued to people who may pay taxes but are not citizens and are frequently illegal.

Ricardo Diaz, the executive director of the United Community Center, praised Governor Doyle saying, "This is a hard working community that represents significant purchasing power, this is very smart of the governor." It is true many immigrants, including illegal immigrants, are hard working. But why have any immigration law or border patrol at all if we are going to have government programs specifically providing low-income loans to illegal immigrants? How can the government in good conscience prosecute an employer who hires an illegal immigrant if that same illegal person earlier in that day was given a special government guaranteed special low-interest loan?

I don't mean to solely pick on Governor Doyle here. WHEDA is actually governed by a board - 6 of the 11 members are either Republican legislators or Republican appointees. They ought to step up to the plate and end this program.

It should also be pointed out that this program wouldn't exist without the approval of the Federal Reserve. Also, the loans are resold on the secondary market through the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac). Both of these have several board members who are presidential appointees. The stability of these government sponsored but privately held corporations have been questioned by Alan Greenspan. Are these organizations expanding too quickly and if so, why are they dealing with mortgages to illegal immigrants?

Either illegal immigration is illegal or it is not. It's time Governor Doyle tells his appointees on the WHEDA board to pull the plug. While President Bush does not have direct control of Fannie Mae or Freddie Mac, his appointees should weigh in here. I will ask the two Republican legislators on the WHEDA board to bring this matter up and if nothing is done, I will introduce legislation in January to repeal this program.

Please let me know what you think on this issue. Contact me here in Madison---please call 1-888-534-0058, or in any of the following ways:

Madison Address: P.O. Box 8952, Madison, WI 53708-8952

• Home Number: (262) 338-8061

• E-Mail: rep.grothman@legis.state.wi.us

WWW: http://www.legis.state.wi.us/assembly/asm58/news/index.html





Organizations employing lobbyists

► Lobbyists

▶ Lobbying in Wisconsin

■ Home

WISCONSIN ETHICS BOARD PRESENTED BY THE

as of Friday, July 29, 2005

2005-2006 legislative session

Legislative bills and resolutions

(search for another legislative bill or resolution at the bottom of this page)

Text, Sponsors and Analysis Lobbying Effort on this item Status and Fiscal Estimate

Senate Bill 43

prohibiting the Wisconsin Housing and Economic Development Authority from making, buying, or assuming a home mortgage loan for an individual who does not have a social security number.

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Orga	Organization	These organizations have reported lobbying on this proposal:	Date Notified Position	u	Comments
Profile	Profile Interests		4/20/2005		
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Select a legislative proposal and click "go"

House

Assembly Senate

Proposal Type

07/29/2005

* check status of Lobbying website

day of hearing.

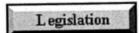




History of Senate Bill 43

SENATE BILL 43
An Act to create 234.59 (3) (d) of the statutes; relating to: prohibiting the Wisconsin Housing and Economic Development Authority from making, buying, or assuming a home mortgage loan for an individual
from making, buying, of assuming a number
who does not have a social security number.
2005
02-02. S. Introduced by Senators Grothman, Cowles, Ellis, Kanavas, A. Lasee, Lazich, Leibham and Roessler; cosponsored by Representatives Kestell, Suder, Gottlieb, Gunderson, Hahn, Hines, Jeskewitz, F. Lasee, LeMahieu, McCormick, Meyer, Nass, Ott, Owens, Petrowski, Pridemore, Towns, Van
Roy, Vrakas, Vukmir and Ziegelbauer.
02-02. S. Read first time and referred to committee on Housing and Financial Institutions
04-13. S. Pursuant to Senate Rule 46 (2)(c), withdrawn from the committee on Housing and Financial Institutions and rereferred to the committee on Veterans, Homeland Security, Military Affairs, Small Business and
Germannt Poform 167

Search for another history



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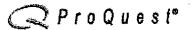


Back to Legislature Home Page

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Databases selected: ProQuest Newspapers, Ethnic NewsWatch (ENW)

THE WALL STREET JOURNAL.

Welcome Mat: Banks Open Doors To New Customers: Illegal Immigrants; With Help From Government, Mortgage Lenders Tap Growing Hispanic Market; A Fight in Wisconsin's Senate

Miriam Jordan. Wall Street Journal. (Eastern edition). New York, N.Y.: Jul 8, 2005. pg. A.1

Subjects:

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Classification Codes

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Abstract (Document Summary)

"There is a fundamental contradiction here," says James Smith, a senior economist at the Rand Corp., a Santa Monica, Calif., think tank. "We have one policy saying you can't be here illegally. In practice, another policy is saying that if you're here, we're going to cater to you."

The bank also offered pamphlets on how to apply for a Wisconsin state ID and driver's license, and invited the Mexican consulate in Chicago to visit with a mobile unit that issues "matricula" cards, another form of identification, issued by the Mexican government and often accepted by banks. In early May, it sent out letters to 2,400 of its undocumented customers warning that Congress was on the verge of passing a federal law, dubbed "Real I.D.", that would make it more difficult for illegal immigrants to get drivers' licenses.

A year since its introduction, the agency's pioneering initiative is also drawing fire. Mark Belling, an outspoken conservative radio talkshow host, has lambasted the mortgage program on the air. "We should not be encouraging illegal immigration by offering home loans and the American dream to people who didn't enter the country legally," says state Rep. Steve Kestell, a Republican. "I am concerned that we are sending the message that we as a state welcome illegal immigration."

Full Text (2213 words)

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MILWAUKEE -- Javier and Araceli Garcia, illegal immigrants from Mexico, never imagined that the U.S. government would help them realize their dream of owning a home.

But last year, the couple secured a \$54,600 mortgage to buy the gray, 1,158-square-foot bungalow that they had been renting for eight months. The Wisconsin housing authority financed the loan. The Internal Revenue Service gave them an identification number that enabled them to apply for it at local Mitchell Bank, which was happy to take their business.

"We thought we would never buy a home, because of our [illegal] status," said Mrs. Garcia.

Competition for new customers is driving banks to offer home loans and other financial services to illegal immigrants -- and they are getting help from government agencies, such as the Federal Deposit Insurance Corp. The FDIC encourages banks to lend and invest in underserved markets regardless of customers' immigration status.

The official helping hand comes as other corners of the government take an increasingly hard line against undocumented immigrants. In May, Arizona legislators passed a bill to bar illegal immigrants from English classes, child care and other state-subsidized services; it was vetoed by the governor. In Kansas, opponents of a measure to offer in-state tuition to college-bound students who are illegal immigrants have taken legal action to prevent its implementation. Also in May, Congress approved a measure containing a provision that would make it impossible for illegal immigrants to acquire a driver's license.

"There is a fundamental contradiction here," says James Smith, a senior economist at the Rand Corp., a Santa Monica, Calif., think tank. "We have one policy saying you can't be here illegally. In practice, another policy is saying that if you're here, we're going to cater to you."

In Wisconsin, the state housing agency's decision to help banks lend to illegal immigrants has set off a fierce debate in the state Senate over whether these newcomers should benefit from programs designed for legal residents. The initiative has also spurred banks in other states to kick off similar programs.

Like many parts of the U.S., this state of dairy farms and heavy industry has seen its Spanish-speaking community swell in recent years. Immigrants, mainly from Mexico, have journeyed here to fill jobs in construction, foundries and other low-skill industries. Latinos represent only 4% of Wisconsin's total population. But the population doubled between 1990 and 2000 to about 200,000, and continues to grow. The Hispanics are concentrated around Milwaukee and Madison, the state capital.

In Milwaukee, Mitchell Bank has seen those changes up close. It was founded in 1907 by the Schneider family, who named the bank after the main street in the bustling area known as the South Side. For most of its history, the bank served Polish and German immigrants. As European families moved to the suburbs, Mitchell Bank opened new branches there. But bank loyalty didn't transfer to young customers, who preferred big banks with ATMs on every corner.

In the 1990s, Mitchell Bank's old turf on the South Side began to see an influx of Latino immigrants. Taco shops and clothing stores playing piped Mexican folk music proliferated. James Maloney, the chairman of Mitchell Bank, saw the newcomers as a solution to the bank's declining fortunes. Its assets had dropped to \$60 million in 1999 from \$95 million in the early 1990s.

One afternoon in 1999, he walked into the bank and saw no one in the expansive hotel-like lobby but the staff. Outside, the street was filled with Latinos. "If all these people were working here and living here, I knew we had to change what we do," said Mr. Maloney, a labor attorney who took over the bank after his father-in-law died in 1991.

Mr. Maloney promoted Frank Villa, a teller and the sole Hispanic employee, to customer-service representative. He re-hired a Latina former staffer and recruited many others. The new employees translated the bank's brochures and deposit slips into Spanish, and hung banners in Spanish outside to lure passersby. Inside the bank, a painting of Mexico's patron saint, Our Lady of Guadelupe, was prominently displayed.

Mr. Maloney invited Latino community leaders and clergy to a town- hall-style meeting at the bank. Out of one meeting came the idea of opening a branch in a local high school, to ease distrust of banking among immigrants by introducing it to their children first.

The bank also offered pamphlets on how to apply for a Wisconsin state ID and driver's license, and invited the Mexican consulate in Chicago to visit with a mobile unit that issues "matricula" cards, another form of identification, issued by the Mexican government and often accepted by banks. In early May, it sent out letters to 2,400 of its undocumented customers warning that Congress was on the verge of passing a federal law, dubbed "Real I.D.", that would make it more difficult for illegal immigrants to get drivers' licenses.

Mr. Maloney decided in 2002 the bank should also start offering mortgages even to illegal immigrants, convinced that would revitalize the run-down area and generate new business. The move would be in line with a federal law, enforced by the FDIC, that requires banks to invest in the communities in which they gather deposits, according to the banker.

Because most undocumented immigrants don't have a credit history, the bank decided to consider utility, rent and overseas-remittance receipts in assessing their creditworthiness. A letter from a pastor was also welcome.

As demand for home loans gradually increased, a problem arose: Taking on the loans was creating more risk than a small bank could shoulder on its own. That's because unlike other mortgages, the loans were not sellable on the secondary market to Fannie Mae and Freddie Mac, which currently don't deal in loans for illegal immigrants as a matter of official policy. That means Mitchell Bank had to hold all the loans in its portfolio rather than spreading out the risk.

The issue was resolved last year, after Mr. Maloney made a presentation to the Wisconsin Housing and Economic Development Authority. Its mission is to help low-income families buy homes by offering mortgages at preferential interest rates that are fixed for 30 years. The housing agency regards its home-ownership program as key to combating predatory lending, which has exploded in poor inner cities, and revitalizing downtown neighborhoods. The state agency decided to start a pilot program for undocumented immigrants.

"We can stick our heads in the sand and pretend these people don't exist, or we can help them be in the U.S. with assets," says executive director Antonio Riley, the head of the Wisconsin housing authority. He has received applications from many banks interested in offering loans to undocumented immigrants.

The housing authority finances the mortgages, which Mitchell Bank and other institutions sell to their customers. Thus, Mitchell Bank no longer retains the risk for the loans.

To be considered for a loan, illegal immigrants must fulfill the same criteria as applicants who hold Social Security numbers -- proof of regular income and state residency. If they qualify, the undocumented borrowers get the same terms as other state residents.

Like Mitchell Bank, the housing authority uses the IRS-issued tax- registration number, the Individual Taxpayer Identification Number, or ITIN, instead of a Social Security number, which illegal immigrants generally cannot obtain. The banks need such numbers because they have to report their income to the government. In 1997, the IRS started issuing ITINs to foreigners who aren't eligible for a Social Security number to encourage them to file an income-tax return, regardless of immigration status. As of December 2004, the IRS had issued eight million such numbers.

An IRS spokesman declined to comment on the use of the ITIN by illegal immigrants applying for a mortgage. In prepared testimony to two congressional subcommittees last year, IRS Commissioner Mark Everson said "we are concerned that the ITIN has become an acceptable form of identification similar to the Social Security number."

The Garcias arrived at Mitchell Bank last August without a credit history or a single credit card to their name. A few days later, Mr. Garcia brought his ITIN and proof that he had filed taxes every year since getting the tax ID. He also brought pay stubs to show he earns about \$450 a week making concrete molding to secure caskets in the earth, a job he has held for four years. Mrs. Garcia, who says she carefully stores bills in a safe place, amassed the receipts for every utility and rent payment the couple had ever made.

Mr. Villa, now a loan officer, read all the loan documents to the couple in Spanish. A home inspector visited the Garcia's house in September. The Garcias then obtained a \$54,600 mortgage from Mitchell Bank. The Wisconsin housing authority financed it at a fixed rate of 5.3% over 30 years. The couple was required to make a modest down payment. On Oct. 19, two months after starting the application process, the couple closed on the house. All told, the couple now makes a monthly mortgage payment of \$443 instead of \$600 a month in rent on the same house.

In four years, Mitchell Bank has issued about 100 similar home loans, mainly to illegal immigrants, and says it has never experienced a default; it has recorded two late payments. The average household income of borrowers is \$30,000 annually, for mortgages ranging from \$30,000 to \$100,000. Thanks to its outreach to Latino immigrants, including many illegal ones, Mitchell Bank is recording 4.5 times more transactions and at least that much more traffic at its three branches than a few years ago. It is looking for a site to open a new branch in nearby Waukesha, which has a fast-growing Hispanic population. "Our portfolio is evidence that the undocumented are model customers," says Jeff Bowman, president of Mitchell Bank.

More banks are following in Mitchell's path, helped by the FDIC, which has reached out to banks in the Midwest to encourage them to lend to immigrants, regardless of their legal status in this country. Some of the banks have become aggressive players in the undocumented market.

The initiative, based in Chicago, is partly an outgrowth of FDIC efforts to contain predatory lending, whose main victims are blacks and Latino immigrants. Without access to traditional banking, undocumented immigrants are especially easy prey for unscrupulous lenders who charge exorbitant interest and closing fees for mortgages. "Our job is to encourage banks to lend and invest in underserved markets," says Michael Frias, an FDIC official in Chicago. "We don't make distinctions of immigration status."

Dozens of small banks in such states like Ohio, Illinois, Iowa and Texas have recently started offering undocumented immigrants the opportunity to apply for home loans with an ITIN. Big banks, like Wells Fargo & Co. and Bank of America Corp., say they plan to launch their own programs within months. Don Cohen, a vice president at North Shore Bank in Milwaukee, which offers ITIN mortgages, says he has fielded inquiries from banks in Alabama, Minnesota, Mississippi, South Carolina and Washington, among others interested in serving undocumented immigrants.

For its part, the Wisconsin housing authority is stepping up efforts to promote its program to help immigrants get mortgages. Since last April, it has disbursed 112 ITIN-mortgage loans valued at about \$12.2 million in total. The housing authority has been flooded with inquiries from housing agencies and lending institutions in other states. The Illinois Housing Development Authority, for one, is expected to unveil its ITIN mortgage program this summer.

But a year since its introduction, the agency's pioneering initiative is also drawing fire. Mark Belling, an outspoken conservative radio talk-show host, has lambasted the mortgage program on the air. "We should not be encouraging illegal immigration by offering home loans and the American dream to people who didn't enter the country legally," says state Rep. Steve Kestell, a Republican. "I am concerned that we are sending the message that we as a state welcome illegal immigration."

Republican state Sen. Glenn Grothman, who says the state agency shouldn't be in the business of rewarding lawbreakers, has introduced a bill to quash the program.

Mr. Grothman first heard about the ITIN mortgage on Mr. Belling's radio show. In an interview, Mr. Grothman said it's untenable that the "government sets up a program specifically designed to benefit people who have chosen to ignore...immigration laws."

The bill is now before a state Senate committee. To become law, it will have to pass both houses of the legislature, which are controlled by Republicans, and get Democratic Gov. Jim Doyle's signature.

Meanwhile, the Garcias used their ITIN to get a second, home-improvement loan for \$13,700 with Mitchell Bank. The house already has a new cream-colored front door, newly built carport and renovated basement. Their summer plans include putting new siding on the house and laying grass in the backyard.

Journal Link: Check the latest mortgage rates and compare home-financing options with Mortgage Tools, at RealEstateJournal.com.

Unlawful Entry

Illegal-immigrant population in the U.S.

April 1980: 3.0 million January 1982: 3.3 June 1986: 4.0 June 1989: 2.5 October 1992: 3.9 October 1996: 5.0 April 2000: 8.4 March 2004: 10.3

Note: September 1986 amnesty legalized many illegal immigrants

Source: Pew Hispanic Center, based on current population surveys

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Moving Up: Challenges to The American Dream --- California Dreamers: Once Here Illegally, The Laras Savor Children's Success --- Mexican Family Tale Suggests Strides Made by Migrants; Hurdles for Today's Kids --- A Raid on Father's Factory By Miriam Jordan

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[Last in a Series]

LOS ANGELES -- In the late 1960s, Mexican peasant Hector **Lara** successfully crossed the U.S. border on his third try and arrived here as a penniless illegal immigrant. Mr. **Lara** worked long hours at a variety of jobs -- from manufacturing to yard work -- to support the wife and four children who later joined him from Mexico's Jalisco state. Like millions of immigrants before and since, the **Lara** family took its place on the bottom rung of the U.S. economy.

More than 35 years later, each of the **Lara** children -- including a fifth child born in the U.S. -- has earned a degree from a higher-education institution in the U.S. Three earn six-figure salaries. "We're all very comfortable," says Alejandro **Lara**, a 33-year-old investment banker who drives a BMW. He has a college degree from the University of California, Berkeley, a master's from Harvard and an M.B.A. from UCLA. Even his parents have joined the middle class: They bought two houses, now worth \$800,000, with money earned during the 1970s when the senior Mr. **Lara** operated a forklift at a record factory and his wife, Elvira, stitched hems at a drapery maker.

The Laras' rise may be more typical than many people imagine when they see the flood of Mexican immigrants arriving here to take menial jobs. A growing body of research suggests that the children of these immigrants have made big strides in education, the ticket to upward mobility, and have often moved beyond the poverty of their parents. "The success of immigrants' children is key to measuring the long-term costs and benefits of immigration," says David Card, an economist at UC Berkeley. He published a paper in January that concludes children of even the least-educated immigrant groups close most of the education gap with natives.

That conclusion offers a contrast to some other powerful forces shaping mobility in America today. Overall, amid a widening rich-poor gap, the level of mobility in the U.S. has been stuck over the past three decades, and some studies suggest mobility in continental Europe is higher. The decline of on-the-job training and industrial jobs where a high-school graduate could climb the ladder are among the reasons that some Americans have trouble advancing, even as the spread of college education has helped others.

Some are skeptical that Mexican immigrants' progress can continue into the next generation. Many recent immigrants have a harder time gaining legal status than Hector and Elvira **Lara** did in the 1970s. The deteriorating quality of many inner-city schools, where sometimes more than half of the students are Spanish-speaking, hurts the chances of children to rise beyond their parents. Those who advocate a clampdown on the current wave of Hispanic immigration often say the newcomers threaten to form a huge permanent underclass burdening U.S. taxpayers.

Even Roberto **Lara**, a lawyer and the last member of the **Lara** clan to be born in Mexico, has his doubts. "I don't know that we could do it now," he said as he loaded his daughter's bike onto his sport-utility vehicle one recent Saturday.

When Irish, Italians, Jews and other Europeans flocked to the U.S. in the late 1800s, there was fear of an exploding underclass. An 1892 annual report of the U.S. superintendent of immigration referred to "an enormous influx of foreigners unacquainted with our language and customs." It noted that "the majority of these unfortunates came here without money and without skill as workmen," and warned that they were turning into a "new undesirable class."

Those groups long ago entered the American mainstream, and there's reason to believe that the advancement of Mexicans has been as fast or faster. James Smith of Rand Corp., a think tank in Santa Monica, Calif., found that educational progress across three generations of Mexicans -- immigrants, their children and their grandchildren -- is the same or greater than the progress of Europeans who arrived in the late 1800s and early 1900s. Mexicans are the largest and fastest-growing group of Hispanic immigrants.

"Concern that educational progress among Latino immigrants has lagged behind other immigrant groups is unfounded," says Mr. Smith, who holds Rand's chair in labor market and demographic studies. His study, published in the May 2003 issue of the academic journal American Economic

Review, was the first to track three generations over time instead of comparing different generations at the same point in time.

Thus, a Mexican male immigrant who was 45 years old in 1945 was likely to have 4.3 years of schooling. His adult son would get, on average, twice as many years of schooling, or 8.6 years. His grandson would have completed 12.5 years, according to Mr. Smith. That's an educational gain of eight years in three generations, compared with a five-year gain for European males during the first half of the 20th century.

"We have a tendency to romanticize the experience of past immigrants," says Jeffrey Passel, an immigration demographer at the Pew Hispanic Center in Washington, D.C. "Yes, there was progress. But the real progress came with their children and grandchildren."

As immigrants and their offspring live in the U.S. longer, they also tend to improve their lot financially. In California, 28% of Latinos who arrived in the 1970s had incomes below the poverty level in 1980. By 2000, the rate for the same group had fallen to 17%, according to research by demographers Dowell Myers and John Pitkin for the University of Southern California. Home ownership for the group rose to 55% from 15% over that 20-year period. (By comparison, the national home ownership rate today is 69%.)

The journey of the Laras and their children -- Rosa, 40; Juan Hector, 39; Veronica, 37; Roberto, 35; and Alejandro, 33 -- illustrates the drive for a better life that has characterized the immigrant experience in the U.S. across the centuries. In the mid-'60s, Hector **Lara** tried to eke out a living growing wheat and maize on a small patch of land in Jalisco. Determined to give his children a better future, he set out for the U.S. in 1968. It took him three attempts to make it across the California border. The rest of his family sneaked across the following year.

For years, home in Los Angeles was a crammed one-bedroom apartment. Mr. Lara worked at the record factory, where he earned \$2.13 an hour doing everything from hauling boxes in a warehouse to quality-control work. He also took side jobs elsewhere. Mr. Lara says his main employer, Monarch Records, was fair and even provided health benefits despite his immigration status. Social Security numbers were easier to come by in those days -- they were given freely to new workers even if they were illegal like the Laras. Mrs. Lara worked full-time as a seamstress in a curtain factory while tending to the children, including Juan Hector, whose legs had been crippled by polio. "I worked hard and earned a decent wage," recalls Mr. Lara, a garrulous, barrel-chested 62-year-old, who has a weakness for beseball caps. "We never went hungry."

But the family remembers the day when Mr. Lara got an early-morning call from a fellow Mexican immigrant at the record factory advising him to stay home. Officials were rounding up illegal immigrants arriving for work. About 20 of Mr. Lara's Mexican co-workers were deported, he says. In 1972, just months after the arrival of their U.S.-born child, Alejandro, the family entered mainstream America: They all got green cards. In those days, that was much easier to do because Mexican immigrants were granted legal residency when they had a U.S.-born child. "The green card gave us peace of mind," says Mr. Lara. Family outings to city parks with their beige mutt, Catucas, became worry-free.

Mr. Lara was promoted to lead man on the record factory's production line. He got a mortgage and bought a peach-colored two-bedroom house in Los Angeles's Mid-City neighborhood, west of downtown, for \$27,000. It was a family affair: "I translated the whole deal," says Rosa Lara, who was 12 years old in 1976. Nearly 30 years later, she still remembers the name of the seller. Mr. and Mrs. Lara, who still speak only rudimentary English, couldn't help the children with their homework but stressed the importance of schooling. To emphasize the point, Mr. Lara would brandish his palms, calloused from handling crates of records and doing other physical labor. "See my hands! Do you want to have these hands? So get an education," he recalls telling his kids. A few hours a week, the boys bagged groceries and mowed lawns. The girls worked as cashiers at a grocery store. But around the dinner table, all five proclaimed lofty ambitions -- to be a doctor, a lawyer, a veterinarian.

"We were going to be somebody," recalls daughter Veronica **Lara**, who is now 37, sitting in her spacious office with a view of the Los Angeles skyline. She is regional chief operating officer for Volunteers of America, a nonprofit provider of child care, affordable housing and other services for the poor. "We never missed a day of school, even if we were sick."

The family had its hard times: Mr. **Lara** lost his job at the record plant when the compact-disc era arrived in the mid-1980s. He moved on to a chocolate factory and a newspaper-delivery job, and he refurbished his own properties to generate more rental income. Elvira also lost her job when the drapery maker she worked for went out of business. The children attended public schools and obtained scholarships and government loans to attend college.

Juan Hector, who was disabled by polio, insisted on enrolling in a regular high school after having attended special schools earlier. He graduated with honors from a technical college and now works

as a test technician for Whittaker Controls Inc., an airplane-parts supplier near Los Angeles. "He has never been jobless or relied on any outside assistance," says his mother, fighting back tears. Rosa and Veronica were bused to high school in Granada Hills, a privileged suburb, in the late '70s and early '80s. Occasionally, they heard racial slurs when they got off the bus. Rosa earned a degree from Santa Monica Community College. She works as a health educator at a clinic. In her sophomore year in high school, Veronica saw an ad in the school paper for Upward Bound, a federal program started by Lyndon Johnson as part of his War on Poverty. It encourages low-income children to enter four-year colleges by offering them counselling and prep courses. Thanks to the program, Veronica says, she entered California State University, Northridge, in 1987. Roberto's teachers recommended him for gifted programs, and he was valedictorian of his high school's 1988 graduating class. Four years later, he graduated from Stanford University and enrolled at the University of California's Hastings College of the Law in San Francisco. At 35, he has his own civil-litigation practice in Los Angeles. He lives next door to his parents. His oldest child, 6-year-old Patricia, will start kindergarten in the fall at an elite private school. "The L.A. school system is tough nowadays," he says.

Alejandro, the youngest **Lara**, last year joined a boutique investment bank in Los Angeles after working for microchip giant Intel Corp. in Silicon Valley. His fiancee, Keri Castaneda, the daughter of a Mexican-American who joined the U.S. Army and then became a teacher, is a Stanford graduate. The Laras represent a classic tale of family achievement, one that is representative of broader trends. A new, ongoing survey focusing on metropolitan Los Angeles, home to the largest Mexican-American population in the U.S., has found that 23% of third-generation Mexican-Americans in 2004 had completed college compared with 15% of their parents. That's a 50% jump from one generation to the next.

"The Mexican arrivals are conspicuous because they don't speak English and do the worst jobs," says Frank D. Bean, an immigration researcher at the University of California, Irvine, who is leading the study with Ruben G. Rumbaut, also of UC Irvine. "That reinforces the idea of an underclass that keeps getting bigger and doesn't change. But it does change."

Still, the shifting immigrant landscape in the U.S. today may make it harder for succeeding generations to pull themselves up. The number of illegal immigrants has more than tripled since 1980, according to the Pew Hispanic Center, and there are an estimated six million Mexicans now living in the U.S. illegally. They have become the backbone of the hotel, restaurant and construction industries.

One problem area is public-school education in large cities. In Los Angeles, some students have to attend school in the summer and take their "summer vacation" from September to November because of overcrowding. The conditions contribute to rising dropout rates, educators say. "To the extent that Hispanics remain concentrated in urban ghettos, with access to the worst schools, those conditions will slow economic mobility," says Marta Tienda, a Princeton University demographer. Nearly three-quarters of students now enrolled in Los Angeles public schools are Hispanic, up from about a quarter three decades ago. The proportion of all students who don't speak English as their first language has jumped to 43% today from 25% in 1985-86. The system has added 150,000 children since 1974 but only one new high school, which opened this month. Busing has ended, so the **Lara** daughters today wouïdn't have the chance to go to a less-crowded suburban school. A 2002 study by the National Center for Education Statistics found that among Latinos who were eighth graders in 1988, 70% had obtained some post-secondary education by the time they were 26 years old. But only 15% had attained a bachelor's degree compared with 34% of whites. In other words, a lot of immigrant kids who start college don't finish. Without a higher degree, they're at greater risk of ending up in dead-end jobs.

More controversial is the effect of a 1996 initiative passed by California voters that bars consideration of ethnicity or national origin in admissions at public universities. "I honestly think I got into Berkeley because of affirmative action," says Alejandro Lara. "Once there, I took full advantage of it." Latino enrollment at UC Berkeley fell after the measure took effect. Supporters say it needn't hurt mobility because universities can still consider the economic status of applicants. Perhaps the biggest barrier to mobility for illegal immigrants now is the difficulty in becoming a legal resident. If the Laras arrived today, they would have to wait until Alejandro reached the age of 21 to get sponsored for a green card. And because the couple would have been in the U.S. illegally for more than a year at that point, they would have to return to Mexico for 10 years in order to qualify for legal residency.

Without legal status, the Laras wouldn't get Social Security numbers and driver's licenses, and they might be ineligible for a home loan. Early last year, President Bush proposed a guest-worker program that would put many undocumented immigrants on the path to legalization. But it has languished amid deep divisions within the Republican Party.

Some states have drawn up bills seeking to curb rights of illegal immigrants such as access to day care and medical services, which could affect the immigrants' children. Groups opposing illegal Immigration are spreading to states like Georgia, Virginia and Colorado, where Latinos recently have started to settle in large numbers.

Sitting in the tranquility of her home, Mrs. **Lara** reflected one recent evening that such difficulties would have made it harder to build a stable environment for her children. "Everything was so much easier then," she says.

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